

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NOELIA BERNARDINA CANDELARIA ,
Plaintiff,

-v.-

VILLAGE SAVINGS BANK WACOVIA
BANK WELLS FARGO, WELLS FARGO &
COMPANY, SERVPRO COMMERCIAL
LLC, ANTIM RESTORATION, INC., d/b/a
SERVPRO OF SAN JACINTO
IDYLLWILD/LAKEVIEW and MITNOR
CORPORATION d/b/a SERVPRO OF THE
SEACOAST,
Defendant.

USDC SDNY DOCUMENT
ELECTRONICALLY
FILED DOC #:
DATE FILED: **4/2/2025**

24 Civ. 2164 (JHR)

ORDER

JENNIFER H. REARDEN, District Judge:

On March 27, 2025, Defendants moved to dismiss the Complaint under Rule 12(b)(6) of the Federal Rules of Civil Procedure. Pursuant to Rule 15(a)(1)(B), a plaintiff has 21 days after service of a Rule 12(b) motion to amend the complaint once as of right.

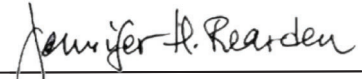
Accordingly, it is hereby ORDERED that Plaintiff shall file any amended complaint by **April 17, 2025**. In accordance with Rule 1.D of the Court's Individual Rules and Practices in Civil Cases, any amended complaint should be filed with a redline showing all differences between the original and revised filing. Plaintiff will not be given any further opportunity to amend the Complaint to address issues raised by the motion to dismiss absent good cause.

If Plaintiff amends, then the Court will deny the previously filed motion to dismiss as moot. By three weeks after the amended complaint is filed, Defendants shall file an answer or a new motion to dismiss. If Defendants file a new motion to dismiss, any opposition shall be filed within 14 days, and any reply shall be filed within seven days of any opposition.

If no amended complaint is filed, then Plaintiff shall file any opposition to the motion to dismiss by **April 17, 2025**. Defendants' reply, if any, shall be filed by **April 24, 2025**.

SO ORDERED.

Dated: April 2, 2025
New York, New York

A handwritten signature in black ink, reading "Jennifer H. Rearden", is written over a horizontal line.

JENNIFER H. REARDEN
United States District Judge